

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHARLES W. LOYD,

Plaintiff,

v.

CLARK COUNTY POLICE  
DEPARTMENT,

Defendant.

CASE NO. C14-5349 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 23), and Defendants Clark County and Clark County Police Department’s (“Defendants”) response to the R&R (Dkt. 24).

On January 21, 2015, Judge Creatura issued the R&R recommending that the Court dismiss Plaintiff Charles Loyd’s complaint without prejudice for failure to prosecute. Dkt. 23. On February 3, 2015, Defendants responded and requested that the Court instruct Judge Creatura to rule on the motion to dismiss so that Defendants may

1 possibly obtain a dismissal with prejudice. Dkt. 24. The Court declines to extend this  
2 proceeding any longer without Loyd's involvement.

3 Therefore, the Court having considered the R&R, Defendants' response, and the  
4 remaining record, does hereby find and order as follows:

- 5 (1) The R&R is **ADOPTED**;
- 6 (2) The complaint is **DISMISSED without prejudice** for failure to prosecute;  
7 and
- 8 (3) The Clerk shall close this case.

9 Dated this 18th day of March, 2015.

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12 BENJAMIN H. SETTLE  
13 United States District Judge  
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